

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

JERRY KING, JR., -EL,

Petitioner,

-VS-

STATE OF MICHIGAN,

Respondent.  
\_\_\_\_\_ /

CIVIL NO. 06-CV-10685

PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

DONALD A. SCHEER  
UNITED STATES MAGISTRATE JUDGE

**ORDER**

- (1) ACCEPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION;**  
**(2) GRANTING DEFENDANT'S MOTION TO DISMISS;**  
**(3) DENYING PETITIONER'S PETITION FOR A WRIT OF HABEAS CORPUS;**  
**(4) DENYING PETITIONER'S MOTION FOR DISCOVERY; AND**  
**(5) DENYING PETITIONER'S MOTION FOR EXPEDITED REMOVAL**

Before the Court is the Magistrate Judge's February 9, 2007 Report and Recommendation dismissing Petitioner's Petition for a Writ of Habeas Corpus. (Docket No. 25). Neither party has filed timely objections under 28 U.S.C. § 636(b)(1) and Local Rule 72.1(d). Having reviewed the Magistrate Judge's conclusions of fact and discussion of law, the Court hereby:

- (1) **ACCEPTS** the Magistrate Judge's Report and Recommendation (Docket No. 25);
- (2) **GRANTS** Defendant's Motion to Dismiss (Docket No. 15);
- (3) **DENIES** Petitioner's Petition for a Writ of Habeas Corpus (Docket No. 3);
- (4) **DENIES** Petitioner's Motion for Discovery (Docket No. 8); and
- (5) **DENIES** Petitioner's Motion for Expedited Removal (Docket No. 20).

**SO ORDERED.**

s/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: March 21, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on March 21, 2007.

s/Denise Goodine  
Case Manager